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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,838	09/23/2003	Michael Chaves	11347	4973

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EXAMINER

PYO, MONICA M

ART UNIT PAPER NUMBER

2161

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/668,838	Applicant(s) CHAVES ET AL.	
	Examiner Monica M. Pyo	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the Amendment filed 7/17/2006.
2. Claims 8-24 are currently pending in this application. Claims 8, 15 and 21 are independent claims. In the Amendment filed 7/17/2006, claims 1-7 are canceled. This action is made Final.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the amended claim limitation of “operands” and “operators” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The Specification objection made in a prior Office Action was on the Examiner's oversight. Therefore, the specification objections made in a prior Office Action are withdrawn.

Claim Objections

5. Claim 8 is objected to because of the following informalities:

- the phrase "operand for" in line 6 should be changed to "an operand for".
- The phrase "the control field defines" in line 7 should be changed to "a control field defines". The Examiner interprets the term "control field identifier" different from the term "control field".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The Amendment received on 7/17/2006. The changes are accepted and therefore, the 35 U.S.C. 112, 2nd paragraph rejections made in a prior Office Action are withdrawn.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 8-12, 15-18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0254920 by Brill et al. (hereafter Brill) in view of U.S. Patent No. 6,826,572 issued to Colace et al. (hereafter Colace).

Regarding Claims 8, 15 and 21 Brill disclose a method for providing a search query, comprising:

- **providing an Application Programming Interface (API) for receiving a search constraint and a control field identifier, as a search string with an unique identifier in connection with an API (Brill: [0032], lns. 1-9; [0034], lns. 1-17; [0065], lns. 8-14); and**
- **providing a search generating module interfaced to the API for automatically generating a search query from the search constraint and the control field identifier, being generated and wherein the control field defines a field of a data store from which the search query is to be executed against, and wherein the search query is automatically generated as a new search as a profile generator dynamically constructing a set of queries based on an unique identifier (Brill: [0030], lns. 1-9; [0034], lns. 1-10; [0051], lns. 1-14; [0052], lns. 1-22; [0065], lns. 8-14),;**
- **wherein when the search query is executed records from the data store are returned representing data store records that satisfy the search constraint and have identical values for the control field**

identifier for each customer identification value, as a search query with criterion substantially similar (Brill: [0031], Ins. 1-9; [0033], Ins. 1-19; [0034], Ins. 1-17).

Brill does not explicitly disclose:

- **wherein the search constraint defines an operand and operand for the search query**

However, Colace discloses:

- **wherein the search constraint defines an operand and operand for the search query**, as a drop down menu to select a numeric operator and an arithmetic terms (Colace: col. 10, Ins. 37-48 and 57-64; figs. 11-13, 15)

It would have obvious to a person with ordinary skill in the art at the time of invention to apply the drop down menu options for a search query of Colace in the distributional analysis method to improve search results of Brill. Skilled artisan would have been motivated to combine the Colace's teaching of choosing an operand/operator in the Brill's teaching of content search engine search result to enhance the searching and accessing information from the internet (Colace: col. 1, Ins. 36-42).

Claims 15 and 21 are also rejected based upon the same reasoning as claim 8.

Regarding Claim 9, Brill and Colace disclose the method further comprising providing a command option within the API to manually execute the search query (Brill: [0063], Ins. 1-18; [0086], Ins. 1-23).

Regarding Claim 10, Brill and Colace disclose the method further comprising presenting the records when the command option is selected (Brill: [0063], Ins. 1-18; [0086], Ins. 1-23).

Regarding Claim 11, Brill and Colace disclose the method wherein the providing of the search generating module further includes interfacing the API to the search generating module over a network (Brill: [0087], Ins. 1-22).

Regarding Claim 12, Brill and Colace disclose the method wherein the providing the API further includes interfacing the API to one or more automated applications (Brill: [0065], Ins. 1-14; [0066], Ins. 1-22).

Regarding Claim 16, Brill and Colace disclose the system wherein the search query interface includes a Graphical User Interface (GUI) application for receiving the search constraint and the control field identifier and an Application Programming Interface (API) that interfaces the GUI application to the search generating module (Brill: [0063], Ins. 1-18; [0065], Ins. 1-14).

Regarding Claim 17, Brill and Colace disclose the system wherein the search generating module automatically executes the search query and presents the records to the search query interface (Brill: [0063], Ins. 1-18; [0066], Ins. 1-22; [0086], Ins. 1-23).

Regarding Claim 18, Brill and Colace disclose the system wherein the search generating module executes the search query and presents the records to the search query interface when instructed to do so by the search query interface (Brill: [0063], Ins. 1-18; [0086], Ins. 1-23).

9. Claims 13 & 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brill in view of Colace, and further in view of U.S. Patent No. 5,948,040 issued to DeLorme et al. (hereafter DeLorme).

Regarding Claim 13, Brill and Colace disclose the method further comprising interfacing the records automatically after the search query is executed (Brill: [0007], Ins. 1-24).

Brill and Colace do not disclose: a marketing campaign module.

However, DeLorme disclose: a marketing campaign (as marketing online advertising; DeLorme: cols. 64-65, Ins. 56-67 & 1-13).

It would have obvious to a person with ordinary skill in the art at the time of invention to apply the travel reservation and planning system of DeLorme in the drop down menu options for a search query of Colace and the distributional analysis method to improve search results of Brill. Skilled artisan would have been motivated to combine the DeLorme's teaching of marketing advertisement for travelers in the Colace's teaching of choosing an operand/operator and the Brill's teaching of content search engine search result to utilize the computerized travel reservation information and planning system (DeLorme: col. 1, Ins. 29-46).

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Regarding Claim 22, Brill and Colace do not disclose the system wherein the system is interfaced to a customer segmentation module.

However, DeLorme disclose the system wherein the system is interfaced to a customer segmentation module (DeLorme: cols. 9-10, Ins. 65-67 & 1-9; col. 33, Ins. 30-52 as an itinerary of travel information SCHEDULER sub-menu)

It would have obvious to a person with ordinary skill in the art at the time of invention to apply the travel reservation and planning system of DeLorme in the drop down menu options for a search query of Colace and the distributional analysis method to improve search results of Brill. Skilled artisan would have been motivated to combine the DeLorme's teaching of marketing advertisement for travelers in the Colace's teaching of choosing an operand/operator and the Brill's teaching of content search engine search result to utilize the computerized travel reservation information and planning system (DeLorme: col. 1, Ins. 29-46).

Regarding Claim 23, Brill and Colace and DeLorme disclose the system wherein the system is used to generate a travel customer segmentation population based on a marketing campaign's search constraint representing an instance of the search constraint and wherein the control filed identifier is a trip identifier (Brill: [0032], Ins. 1-20; [0033], Ins. 1-19; [0034], Ins. 1-17) and (DeLorme: cols 9-10, Ins. 65-67 & 1-9; cols. 64-65, Ins. 56-67 & 1-13).

Regarding Claim 24, Brill and Colace and DeLorme disclose the system wherein the marketing campaign's search constraint includes at least one of a hotel stay constraint, a rental car constraint, a destination constraint, and a layover constraint (DeLorme: col. 14, Ins. 24-35).

10. Claims 14 & 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brill in view of Colace, further in view of U.S. Patent No. 6,334,131 issued to Chakraburti et al. (hereafter Chakraburti).

Regarding Claims 14 and 19, Brill and Colace disclose the method further comprising the search constraint (Brill: [0031], lns. 1-9; [0033], lns. 1-19).

Brill and Colace do not explicitly disclose: generating hierarchies from portions of the records when the search query is executed, wherein each hierarchy represents an aspect

However, Chakraburti disclose: generating hierarchies from portions of the records when the search query is executed, wherein each hierarchy represents an aspect (Chakraburti: cols. 9-10; lns. 65-67 & 1-15 - as directing the search to the relevant section).

It would have been obvious to a person with ordinary skill in the art at the time of invention to apply the hierarchical information structures of Chakraburti in the drop down menu options for a search query of Colace and the distributional analysis method to improve search results of Brill. Skilled artisan would have been motivated to combine the Chakraburti's teaching of cataloging and filtering method in the Colace's teaching of choosing an operand/operator and the Brill's teaching of content search engine search result to utilize the method to implement ranking frame based hierarchical information structures (Chakraburti: col. 1, lns. 20-42).

Claim 19 is also rejected based upon the same reasoning as Claim 14.

Regarding Claim 20, Brill and Colace and Chakraburti disclose the wherein the hierarchies are linked to fields in the data store and can be activated from the search query interface to present different views of the hierarchies (Brill: [0063], lns. 1-18) & (Chakraburti: col. 9, lns. 65-67; col. 10, lns. 1-15 & 20-33).

Response to Arguments

11. Applicant's arguments with respect to claims 8-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon-Fri 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo
Examiner
Art Unit 2161

mp
9/25/2006



Leslie Wong
Primary Examiner